IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

WP(C).No. 12036 of 2006(G)

PETITIONER:

ALL KERALA BUS OPERATORS ORGANISATION
REG.NO.642/99, S.N.BUILDING, G.B.ROAD,PALAKAD
REPRESENTED BY ITS VICE PRESIDENT
N.VIDYADHARAN, AGED 43, S/O.P.T.NAIR,
'YAMUNA', NEITHELETH, WEST THARA, KOLLENGODE P.O.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL

RESPONDENTS:
----

1. **STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, TRANSPORT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE TRANSPORT COMMISSIONER, THIRUVANANTHAPURAM.**

3. **THE REGIONAL TRANSPORT OFFICER, PALAKKAD.**

ADDL. R4

P.V. KRISHNAN, GENERAL SECRETARY,
MOTOR TRANSPORT EMPLOYEES UNION, KANNUR
RESIDING AT KAIRALAM, KANDAIKAI POST, KANNUR DT.
IS IMPLEADED AS ADDL. R4 AS PER ORDER DTD.22.08.2006
IN I.A. NO.11487 OF 2006.

BY ADV. SRI.M.SASINDRAN
SRI. M. SASINDRAN, ADDL. R4

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/11/2007, ALONG WITH WP(C) NO.33248 OF 2006 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

= =
W.P.(C) Nos.12036/2006 & 33248/07
= =

Dated this the 13th November, 2007

J U D G M E N T

The primary challenge raised in W.P.(C) No. 12036/06 is against the amendment made to the Motor Vehicles Taxation Act, 1976 incorporating Sub-sections 7 and 8 to Section 4. The validity of this amendment has already been upheld by a Division Bench of this Court in its judgment reported in **Siraj vs. Regional Transport Officer [2007 (3) KLT 929].** In the light of this, W.P.(C) No. 12036/06 is only to be dismissed and I do so.

2. W.P.(C) No. 33248/07 has been filed on the strength of an interim order dated 5-5-2006 which was passed in W.P.(C) No. 12036/06. In view of the judgment dismissing that writ petition, this writ petition is also liable to be dismissed.

Accordingly, both the writ petitions will stand dismissed.

ANTONY DOMINIC
JUDGE

jan/-